

CITY OF JERSEY CITY

280 Grove Street
Jersey City, New Jersey 07302



Robert Byrne, R.M.C., City Clerk
Sean J. Gallagher, R.M.C., Deputy City Clerk
Irene G. McNulty, Deputy City Clerk



Rolando R. Lavarro, Jr., Councilperson-at-Large
Daniel Rivera, Councilperson-at-Large
Joyce E. Watterman, Councilperson-at-Large
Frank Gajewski, Councilperson, Ward A
John J. Hallanan, III, Councilperson, Ward B
Richard Boggiano, Councilperson, Ward C
Michael Yun, Councilperson, Ward D
Candice Osborne, Councilperson, Ward E
Diane Coleman, Councilperson, Ward F

Agenda Regular Meeting of the Municipal Council Wednesday, September 28, 2016 at 6:00 p.m.

Please note: The next caucus meeting of Council is scheduled for **TUESDAY**, October 11, 2016 at **5:30 p.m.** in the Efrain Rosario Memorial Caucus Room, City Hall.

The next regular meeting of Council is scheduled for Wednesday, October 12, 2016 at **6:00 p.m.** in the Anna and Anthony R. Cucci Memorial Council Chambers, City Hall. A pre-meeting caucus may be held in the Efrain Rosario Memorial Caucus Room, City Hall.

1. (a) **INVOCATION:**
- (b) **ROLL CALL:**
- (c) **SALUTE TO THE FLAG:**
- (d) **STATEMENT IN COMPLIANCE WITH SUNSHINE LAW:**

City Clerk Robert Byrne stated on behalf of the Municipal Council. "In accordance with the New Jersey P.L. 1975, Chapter 231 of the Open Public Meetings Act (Sunshine Law), adequate notice of this meeting was provided by mail and/or fax to The Jersey Journal and The Reporter. Additionally, the **annual notice** was posted on the bulletin board, first floor of City Hall and filed in the Office of the City Clerk on Wednesday, November 25, 2015, indicating the schedule of Meetings and Caucuses of the Jersey City Municipal Council for the calendar year 2016.

The Agenda of this meeting was disseminated on **Thursday, September 22, 2016 at 4:00 p.m.** to the Municipal Council, Mayor and Business Administrator of Jersey City. It was similarly disseminated to The Jersey City Reporter and The Jersey Journal.

2. **Bid Reception: None**

****CONSENT AGENDA**

All items listed on the meeting calendar with an asterisk (or asterisks) are considered routine by the municipal council and will be enacted by one motion (and roll call) without separate discussion of each item. If discussion is desired on any item and permitted by the council, that item will be considered separately.

Consent Agenda adopted by Ordinance J-636 and supplemented by Ordinance C-248.

Please understand that all documents listed in the consent agenda are available for public perusal at this meeting.

*3.	ORDINANCE HEARING	FIRST READING	CITY CLERK FILE
a.	Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping), Section 332-31 (Parking Restrictions for street-cleaning purposes) of the Jersey City Municipal Code.		Ord. 16.149
b.	An ordinance supplementing Chapter 332(Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code amending Section 332-24 (Parking Prohibited Certain Hours) designating 60 feet on the north side of Linden Avenue, beginning 143 feet west of Ocean Avenue, as No Parking, Thursday, 8:00 a.m. to Noon.		Ord. 16.150
c.	An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code amending Section 332-24 (Parking Prohibited Certain Hours) designating 70 feet on the south side of Seventh Street, beginning 205 feet east of Division Street, as No Parking, Monday through Friday, 7:30 a.m. and 3:30 p.m. to 5:30.		Ord. 16.151
d.	An ordinance authorizing the City of Jersey City to enter into a lease agreement with the Jersey City Employment and Training Program (JCETP), a New Jersey not-for-profit, pursuant to <u>N.J.S.A. 40:12-14(c)</u> .		Ord. 16.152
e.	An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A. 40A:21-1</u> , et seq., and Section 304-12 of the Municipal Code for property designated as Block 10901, Lot 106, on the city's tax map and more commonly known by the street address of 461-469 Newark Avenue.		Ord. 16.153
f.	An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A. 40A:21-1</u> , et seq., and Section 304-12 of the Municipal Code for property designated as Block 6304, Lot 21, on the city's tax map and more commonly known by the street address of 276 St. Pauls Avenue.		Ord. 16.154
g.	An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A. 40A:21-1</u> , et seq., and Section 304-12 of the Municipal Code for property designated as Block 10801, Lots 8 & 9, now Lot 8.01, on the city's tax map and more commonly known by the street address of 65 Newkirk Avenue.		Ord. 16.155

*3.	ORDINANCE HEARING	FIRST READING	CITY CLERK FILE
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| h. | Ordinance of the Municipal Council of the City of Jersey City amending the Pauls Hook Redevelopment Plan to remove tax Block 13102 and to create the Block 13102 redevelopment plan. | Ord. 16.156 |
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*4.	ORDINANCE HEARING	SECOND READING	CITY CLERK FILE
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| Introduced-9-0- | a. | Ordinance amending and supplementing Chapter 160 (Fee & Charges) Section 1 (Fee Schedule Established) of the Jersey City Municipal Code. (Food Managers Course) | Ord. 16.139
Intro. 09.14.16 |
| Introduced-9-0- | b. | Ordinance amending and supplementing Chapter 160 (Fees & Charges) Section 1 (Fee Schedule Established) of the Jersey City Municipal Code.(Rental of Containers and other equipment from Department of Public Works). | Ord. 16.140
Intro. 09.14.16 |
| Introduced-9-0- | c. | An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article II (Traffic Regulations) Section 332-9 (Stop Intersections) of the Jersey City Traffic Code designating Montrose Avenue and Carlton Avenue as a stop intersection. | Ord. 16.141
Intro. 09.14.16 |
| Introduced-9-0- | d. | An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) of the Jersey City Code amending Section 332-24 (Parking Prohibited Certain Hours) designating the two recessed parking areas on the south side of New Street West of Ocean Avenue (side of the New P.S.# 20) as No Parking School Days, 8:00 a.m. to 6:00 p.m. | Ord. 16.142
Intro. 09.14.16 |
| Introduced-9-0- | e. | An ordinance supplementing Chapter 332 (Vehicles and Traffic) of the Jersey City Traffic Code Article II (Traffic Regulations) amending Section 332-9 (Stop Intersections) designating Beach Street and Sanford Place as a stop intersection and amending Section 332-10 (Yield Intersections) repealing Beach Street and Sanford Place as a yield intersection. | Ord. 16.143
Intro. 09.14.16 |
| Introduced-9-0- | f. | Ordinance approving a 25 year tax exemption for a market rate mixed use rental project to be constructed by 190 Academy Urban Renewal, LLC, an urban renewal entity, pursuant to the Long Term Tax Exemption Law <u>N.J.S.A. 40A:20-1</u> et seq. | Ord. 16.145
Intro. 09.14.16 |
| Introduced-9-0- | g. | An ordinance approving a five (5) year tax exemption pursuant to the provisions of <u>N.J.S.A. 40A:21-1</u> , et seq., and Section 304-12 of the Municipal Code for property designated as Block 4701, Lots 36, 37, 38 and 39, on the City's tax map and more commonly known by the street address of 3224-3230 Kennedy Blvd. | Ord. 16.148
Intro. 09.14.16 |

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PUBLIC REQUEST FOR HEARING

1. LaVern Washington
2. Iraya Corley
3. Yvonne Balcer

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
OFFICE OF THE CITY CLERK**

****6. PETITIONS AND COMMUNICATIONS**

- a. Memo dated September 12, 2016 from Alberto G. Santos, Clerk, Board of Chosen Freeholders to Robert Byrne, City Clerk re: Ordinance introduced by the Board of Chosen Freeholders of the County of Hudson on September 8, 2016 entitled:

An ordinance amending Chapter 200, Article 27 of the Administrative Code to establish Traffic Calming Devices (Bulb Outs, Delineators, and Right Edge Lines) on Newark Street in the City of Hoboken, a county owned roadway.
- b. Letter dated September 12, 2016 from Mr. John Piltzecker, Superintendent National Park Service to Robert Byrne, City Clerk re: Liberty Island Beach Stabilization - Application for NJDEP Waterfront Development Permit National Park Service.
- d. Minutes of the Employees Retirement System of Jersey City held August 17, 2016.
- e. Memo dated September 12, 2016 from Alberto G. Santos, Clerk, Board of Chosen Freeholders to Robert Byrne, City Clerk re: Resolution adopted by the Board of Chosen Freeholders of the County of Hudson on September 8, 2016 entitled:

Resolution urging the City of Jersey City to adopt a resolution dedicating the corner of Dr. Martin Luther King Drive, Jr. Drive and Wilkinson Avenue in honor of the late Elnora Watson.
- e. Letter dated September 7, 2016 from Yacoub Yacoub, Unregulated Heating Oil Tank Program to Ray Vyzas, Scotch Plains, NJ re: One 1000 gallon #2 heating oil underground storage tank system, 126 St. Paul's Avenue, Jersey City.
- f. Letter dated September 7, 2016 from Yacoub Yacoub, Unregulated Heating Oil Tank Program to Michael Ruggieri, Nutley NJ re: One 550 gallon #2 heating oil underground storage tank system, 46 Leonard Street, Jersey City.
- g. Letter dated September 14, 2016 from John F. Tregidgo, LSRP, Senior Project Manager, Dresdner Robin to Robert Byrne, City Clerk re: Public Notification & Outreach, 7-33 Aetna Street, Jersey City.
- h. Letter dated September 15, 2016 from Yacoub Yacoub, Unregulated Heating Oil Tank Program to Peter Krenicki, Jersey City NJ re: One 550 gallon #2 heating oil underground storage tank system, 108 Charles Street, Jersey City.

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****6. PETITIONS AND COMMUNICATIONS**

- i. Letter dated September 19, 2016 from David J. Morris, CHMM, LSRP, Tectonic to Jeremy Smith, Jersey City re: Response Action Outcome, former Engine Co., #5 Fire House, 278 6th Street, Jersey City.
- j. Letter dated September 21, 2016 from Rachel Jacobsen, Project Manager, Dresdner Robin to Robert Byrne, City Clerk re: Ellipes Apartments, 25 14th Street, Jersey City.

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
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****7. OFFICERS COMMUNICATIONS**

- a. Letter dated September 20, 2016 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulation- 16.059 McWilliam Place, 8am-10pm Saturday, September 24, 2016 for Hamilton Park BBQ Festival.
- b. Letter dated September 20, 2016 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulation- 16.060 Randolph Avenue from Claremont Avenue to Carteret Avenue, 8am-8pm Saturday, September 24, 2016 for block party.
- c. Letter dated September 20, 2016 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulation- 16.061 York St from Jersey Ave, to Barrow Street, 9am-6pm Sunday, September 25, 2016 for Tales of Our Cities Book Festival.
- d. Letter dated September 20, 2016 from Joao D'Souza, Director of Traffic & Transportation to Robert Byrne, City Clerk re: Street Closing Regulation- 16.062 Exchange Place, 10am-7:30pm Sunday, October 16, 2016 for Indian Festival of Lights.

**NOTE: THE FOLLOWING ARE AVAILABLE UPON REQUEST FROM THE
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****8. REPORT OF DIRECTORS**

- a. Executive Order # 2016-010 dated September 16, 2016 from the Mayor of the City of Jersey City re: Classified positions for City Employees: Audio Visual Supervisor.

****9. CLAIMS**

- A. City Clerk
- B. Mayor's Office
- C. Tax Assessor
- D. Department of Administration
- E. Department of H.E.D.& C
- F. Department of Health & Human Services
- G. Department of Human Resources
- H. Department of Public Safety
- I. Department of Public Works
- J. Department of Recreation

****10. RESOLUTIONS****CITY CLERK
FILE #**

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| a. | Resolution authorizing the insertion of Special Items of Revenues and Appropriations in the CY2016 Municipal Budget, Pursuant to <u>N.J.S.A. 40A:4-87</u> . | Res. 16.629 |
| b. | Resolution determining the form and other details of taxable General Obligation Refunding Bonds of the City of Jersey City, in the County of Hudson, New Jersey, and providing for the sale and the delivery of such General Obligation Refunding Bonds. | Res. 16.630 |
| c. | Resolution determining the form and other details of tax-exempt General Obligation Refunding Bonds of the City of Jersey City, in the County of Hudson, New Jersey, and providing for the sale and the delivery of such General Obligation Refunding Bonds. | Res. 16.631 |
| d. | A resolution of the Jersey City Municipal Council recognizing Shirley Capaldo and wishing her luck in the Miss New Jersey USA Competition. | Res. 16.632 |
| e. | Resolution appointing Isabelle Procaccino as the new custodian of the petty cash fund for the Law Department. | Res. 16.633 |
| f. | Resolution authorizing the purchasing agent to sale various impounded motor vehicles at public auction. | Res. 16.634 |
| g. | Resolution authorizing the sale of city owned property, not needed for public use, by public sale. | Res. 16.635 |
| h. | Resolution authorizing the waiver of the twenty day waiting period prior to the effective date of City Ordinance 16-142 due to the presence of an emergency pursuant to <u>N.J.S.A. 40:69A-181(b)</u> . | Res. 16.636 |
| i. | Resolution authorizing replacement of lost third party tax sale certificate #2014-2337 sold to MILNEJ Enterprise LLC. | Res. 16.637 |
| j. | Resolution authorizing the extension of three (3) additional months to Elite Associates Holding, LLC, to complete the rehabilitation of 268 Fairmount Avenue (Block 15003 Lot 29). | Res. 16.638 |
| k. | Resolution authorizing a license agreement with Swaminarayan World Organization (Licensor) allowing the City of Jersey City to enter the licensor's property to use space in the licensor's building at 421 Hoboken Avenue, Jersey City in connection with the Jersey City Art and Studio Tour on October 8 and 9, 2016 and authorizing the City Risk Manager to issue a certificate of insurance to the licensor. | Res. 16.639 |

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

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| l. | Resolution authorizing the City of Jersey City to execute a temporary access permit agreement permitting the City of Jersey City to enter onto property owned by New Jersey Transit Corporation to paint art work on a water tower and authorizing the City Risk Manager to issue a certificate of insurance to New Jersey Transit Corporation. | Res. 16.640 |
| m. | Resolution authorizing the acceptance of a grant from the United States Department of Homeland Security (FEMA) under the staffing for adequate Fire and Emergency Response (SAFER) Grant Program for the hiring of Fire Fighters. | Res. 16.641 |
| n. | Resolution authorizing a contract with Telecom Integrity Group for Telecommunications Consulting Services. | Res. 16.642 |
| o. | Resolution authorizing an award of a contract to Hertrich Fleet Services for the purchase and delivery of (5) five Jeep Patriot Vehicles under state contract for the Department of Public Safety. | Res. 16.643 |
| p. | Resolution authorizing award of a contract to Modular Space for the purchase, delivery and installation of an Office Trailer under state contract for the Department of Public Safety. | Res. 16.644 |
| q. | Resolution authorizing the first amendment to the agreement between the City of Jersey City and the Jersey City Employment and Training Program. | Res. 16.645 |
| r. | Resolution of the Municipal Council of the City of Jersey City authorizing the acceptance of a Community Seed Grant from American Public Health Association for participating in the Healthiest Cities and Counties Challenge as a finalist by accepting the challenge. | Res. 16.646 |
| s. | Resolution authorizing contracts with various vendors for the delivery of Substance Abuse Prevention and Education Programs for the Department of Health and Human Services through the Municipal Drug Alliance Program. | Res. 16.647 |
| t. | Resolution of the Municipal Council of the City of Jersey City ratifying the award of a professional services contract that began on July 1, 2016 to Paul Steffens of PRS Consultants, Inc. to provide coordinating services for the City of Jersey City Department of Health and Human Services Municipal Drug Alliance Program. | Res. 16.648 |
| u. | Resolution reauthorizing a professional service agreement to ERFS, Inc. to provide the City of Jersey City with environmental services. | Res. 16.649 |

****10. RESOLUTIONS**

**CITY CLERK
FILE #**

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| v. | Resolution reauthorizing a professional services agreement to the law firm of Apruzzese, McDermott, Mastro & Murphy to represent the City of Jersey City and the Jersey City Police Department in the matter of Matthew Kilroy v. City of Jersey City, et al. | Res. 16.650 |
| w. | Resolution Reauthorizing a professional service agreement with the law firm of Chasan, Leyner & Lamparello to represent the City of Jersey City in the matter of the City of Jersey City v. PPG Industries, Inc. | Res. 16.651 |
| x. | Resolution ratifying and authorizing a professional services agreement with the law firm of Riker, Danzig, Scherer, Hyland & Perretti, LLP to represent the City of Jersey City to serve as Special Counsel in the matter of Cal-Harbor v. City of Jersey City, et al. | Res. 16.652 |
| y. | Resolution authorizing the award of a professional services contract to Adams, Rehmann & Heggan Associates, Inc. in connection with front, side, facade and basement slab assessment at Engine Co. #10 - 283 Halladay Street, Project No. 2016-029 for the Department of Administration, Division of Architecture. | Res. 16.653 |
| z. | Resolution authorizing the award of a professional services contract to DLB Associates in connection with Electrical Design and Construction Administration Services for the City Hall-bathroom Renovations, Project No. 2016-013 for the Department of Administration, Division of Architecture. | Res. 16.654 |
| z1. | Resolution of the City Council of Jersey City authorizing the city to enter into a Memorandum of Understanding for the West Campus Redevelopment Area. | Res. 16.655 |

11. DEFERRED OR TABLED AGENDA AS OF SEPTEMBER 28, 2016

- a. Ordinance# 14.025 Ordinance amending and supplementing Chapter 122 (Circuses, Carnivals and Public Assemblages) of the City of Jersey City Municipal Code. Tabled-8-0- prior to the close of the public hearing at the 03.12.14 meeting on motion by Councilperson Ramchal, seconded by Councilperson Yun, Councilperson Watterman: absent.
- b. Ordinance# 14.083 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article XI (Department of Public Safety) of the Jersey City Municipal Code. Tabled-9-0- prior to the close of the public hearing at the 07.16.14 meeting on motion by Councilperson Coleman seconded by Councilperson Ramchal.
- c. Ordinance# 14.084 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article XI (Department of Public Safety) Sub-Article I (Division of Police) of the Jersey City Municipal Code establishing a Table of Organization. Tabled-9-0- prior to the close of the public hearing at the 07.16.14 meeting on a motion by Councilperson Coleman seconded by Councilperson Ramchal.
- d. Ordinance# 14.099 Ordinance authorizing the City of Jersey City to enter into a lease agreement as lessee with Jersey City Municipal, LLC as lessor for office space to be constructed at the HUB on an approximately 0.556 acre portion of Lot 17, Block 21201 intersection of Kearney Avenue and Martin Luther King Drive. Tabled-9-0- prior to the close of the public hearing at the 09.10.14 meeting on a motion by Councilperson Coleman seconded by Councilperson Osborne.
- e. Ordinance# 14.109 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Land Development Ordinance - supplementary zoning as it pertains to height exceptions for rooftop appurtenance. Tabled-9-0- prior to the close of the public hearing at the 09.23.14 meeting on a motion by Councilperson Osborne seconded by Councilperson Lavarro.
- f. Ordinance# 14.110 Ordinance of the Municipal Council of the City of Jersey City adopting amendments to the Tidewater Basin Redevelopment Plan to create a mixed use district. Tabled-9-0- prior to the close of the public hearing at the 09.23.14 meeting on a motion by Councilperson Lavarro seconded by Councilperson Ramchal.
- g. Ordinance# 14.170 An ordinance supplementing Chapter 332 (Vehicles and Traffic) Article III (Parking, Standing and Stopping) amending Section 332-27 (Angle Parking) of the Jersey City Code designating 30 degree angle parking on the north side of First Street, Marin Boulevard to Provost Street (Back In Parking Only). Tabled-9-0- after the close of the public hearing at the 1.14.15 meeting on a motion by Councilperson Osborne, seconded by Councilperson Coleman.
- h. Ordinance# 15.128 An ordinance amending Chapter 157 (Entertainment Licenses) of the Municipal Code to add Section 12 (Joseph Connors Senior Center) establishing usage regulations for the center. Tabled-7-0- after the close of the public hearing at the 9.24.15 meeting on a motion by Councilperson Coleman, seconded by Councilperson Watterman: Councilpersons Ramchal and Lavarro: absent.

11. DEFERRED OR TABLED AGENDA AS OF SEPTEMBER 28, 2016

- i. Ordinance# 15.135 An ordinance amending and supplementing Chapter 4 (Paid Sick Time) of the Jersey City Municipal Code. Tabled-7-0- prior to the close of the public hearing at the 10.14.15 meeting on a motion by Councilperson Watterman, seconded by Councilperson Osborne; Councilpersons Ramchal and Yun: absent.
- j. Ordinance# 15.162 Ordinance implementing Chapter 2 (Regular Municipal Elections) to change the date of the regular Municipal Elections from the second Tuesday in May to the Day of the General Elections in November. Tabled-9-0- prior to the close of the public hearing at the 11.24.15 meeting on a motion by Councilperson Coleman, seconded by Councilperson Ramchal.
- k. Ordinance# 15.177 Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic) Article VI (Parking Facilities Operated by Division of Parking Enforcement) of the Jersey City Municipal Code. (Booting). Tabled-9-0- prior to the close of the public hearing at the 01.13.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Osborne.
- l. Ordinance# 16.012 Ordinance amending and supplementing Chapter 332 (Vehicles and Traffic) Article VI (Parking Facilities Operated by Division of Parking Enforcement) of the Jersey City Municipal Code (Booting). Tabled-9-0- prior to the close of the public hearing at the 01.27.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Ramchal.
- m. Ordinance# 16.027 An ordinance amending Chapter 222 (Noise) repealing Article 1 (Noise Restrictions) and adopting revisions to local noise-control regulations recommended by the New Jersey Department of Environmental Protection. Tabled-9-0- prior to the close of the public hearing at the 02.24.16 meeting on a motion by Councilperson Rivera, seconded by Councilperson Ramchal.
- n. Ordinance# 16.081 Ordinance amending and supplementing Chapter 254 (Property Maintenance) of the Jersey City Municipal Code implementing Article XXII (Building Service Employees) to establish a minimum number of hours in a work week for building service employees. Tabled-7-0- prior to the close of the public hearing at the 05.11.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Coleman; Ramchal & Rivera: absent.
- o. Ordinance# 16.082 Ordinance amending and supplementing Chapter 3 (Administration of Government) Article VI (Department of Administration) of the Jersey City Municipal Code to mandate a transition period for all building services employees. Tabled-7-0- prior to the close of the public hearing at the 05.11.16 meeting on a motion by Councilperson Lavarro, seconded by Councilperson Coleman; Ramchal & Rivera: absent.